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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,459	10/16/2001	Michael H. D'Amico	13251US01	5919

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EXAMINER

MCCULLOCH JR, WILLIAM H

ART UNIT	PAPER NUMBER
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3714

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12/15/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/981,459	Applicant(s) D'AMICO ET AL.	
	Examiner William H. McCulloch	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5,21,23 and 34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,21,23 and 34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Applicant's submission filed on 12/2/2009 has been entered. Claims 1-3, 5, 21, 23, and 34 are pending in the application, with claims 1, 5, 21, 23, and 34 currently amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 5, 21, 23, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 5,766,076 to Pease et al. (hereinafter Pease) in view of U.S. 6,682,421 to Rowe et al. (hereinafter Rowe) and "What are relational databases?".

Regarding claims 1, 21, and 34, Pease teaches a gaming system comprising a central authority (central computer system 106) and a plurality of gaming machines (e.g. gaming devices 108a-108c), wherein the gaming machines are configured to receive balance data (e.g., player tracking card account balance; see at least 3:61-4:9), and wherein the gaming machines are configured to generate meter data, jackpot data, and player data (see at least 3:37-4:9 and 5:47-60), apparatus for providing data storage and communications between the gaming machines and the central authority comprising:

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- A first database located in the central authority, wherein the first relational database comprises a meter table, a jackpot table, a player table and a balance table (see at least 3:37-4:9 and 5:47-60);
- A network (see at least Fig. 1); and
- A data processing unit (e.g., gateway processor 138) spaced apart from the first database and comprising:
- A second relational database comprising a local meter table, a local jackpot table, a local ticket table, a local player table and a local balance table (e.g., data stored in the gateway processor 138; the term “table” is interpreted as a collection of data); and a programmed hardware (the gateway processor) configured to provide a poller function and a data mover function, wherein:
 - 1) The poller function is configured to poll each of the gaming machines to obtain meter data, jackpot data, and player data generated by the gaming machines over the network (e.g., the use of polling as described in at least 3:37-4:9 and 6:12-23), the poller function being further arranged to format the obtained data in an auditable format before storing the formatted data in a corresponding local meter table, local jackpot table, and local player table (the term “auditable” is interpreted to mean that the data is capable of being audited; in the case of Pease, the data stored is auditable according to 7:53-59 and 9:18-34),

- 2) The data mover function is configured to periodically transmit at least a portion of the formatted meter data, formatted jackpot data, and formatted player data from the second relational database to the first relational database over the network (e.g., data sent between the gateway processor 138 and the central computer system 108), whereby the periodically transmitted meter data is stored in the meter table, the periodically transmitted jackpot data is stored in the jackpot table, the periodically transmitted output ticket data is stored in the ticket table, and the periodically transmitted player data is stored in the player table,
- 3) The data mover function is further configured to periodically retrieve input balance data from the first database over the network independently of a request by any of the gaming machines, whereby the periodically retrieved balance data is stored in the local balance table (because Pease teaches polling as a means for data transfer, information is transmitted on a periodic basis regardless of any request), and
- 4) The poller function is further configured to transmit at least a portion of the periodically retrieved balance data from the second database to the gaming machines over the network when said portion is required by the gaming machines (e.g., by sending balance information for the player tracking system);

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- An accounting module being arranged to evaluate the formatted and periodically transmitted data stored in at least one of the tables of the first relational database to automatically generate a gaming activity audit report for the plurality of gaming machines (e.g., the central computer system 108; see 7:53-59 and 9:18-34 for audit information).

Pease teaches the invention substantially as described above. Pease additionally teaches that player tracking systems are known in the art and may include a card bearing encoded information, wherein the card is purchase by a player and may be linked to an existing account (see at least 3:37-4:9). Pease lacks in explicitly teaching that a ticket is generated at a gaming machine. In a related disclosure, Rowe teaches that as technology in the gaming industry progressed, “the traditional method of dispensing coins or tokens as awards for winning game outcomes [became] supplemented by ticket dispensers which print ticket vouchers that may be exchanged for cash or accepted as credit of indicia in other gaming machines for additional game play. An award ticket system, which allows award ticket vouchers to be dispensed and utilized by other gaming machines, increases the operational efficiency of maintaining a gaming machine and simplifies the player pay out process. An example of an award ticket system is the EZ pay ticket system by International Game Technology of Las Vegas, Nev.” See col. 1, lines 36-47. Rowe further teaches, “An important component of an award ticket system is the ticket validation process. Typically, a game player's satisfaction with an award ticket system is based upon the ease by which the ticket vouchers may be validated or utilized within the context of game playing. When the

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ticket validation process is difficult, a game player may become dissatisfied with the game playing area offering the award ticket system and frequent a game playing area without an award ticket system or a game playing area offering a simpler ticket validation process.” See col. 1, lines 56-65. Finally, Rowe teaches that all of the gaming machines print ticket vouchers, which may be exchanged for cash or accepted as credit of indicia in other gaming machines (2:5-7). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the system taught by Pease to generate tickets at the gaming machine as taught by Rowe in order to provide increased operational efficiency of maintaining a gaming machine and simplify the player pay out process, thereby increasing player satisfaction as taught by Rowe.

The combined teachings of Pease and Rowe teach the invention substantially as described above, including respective teachings of the use of databases to store relevant gaming data. For instance, Pease suggests an embodiment that additionally employs “dial-up database services and the like or permanent-node internet communications or database service communications” (10:23-35). Furthermore, Rowe teaches that after a ticket voucher is cashed out, “the CVT marks the ticket paid in a database to prevent a ticket voucher with similar information from being cashed multiple times” (2:31-34). While both references teach the use of ‘databases’, neither is specifically termed a ‘relational database.’ In a related disclosure, “What are relational databases?” teaches that relational databases have been “a staple of business computing from the very beginning of the digital era,” noting E.F. Codd is credited with

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the creation of relational databases in 1970 (p. 1). The document teaches that the difference between tab-delimited, or “flat”, databases and relational databases is simply one of tabulation: While the flat database creates “one long text file,” the relational database uses tables to store information. Finally, the document recognizes that relational databases are beneficial in that they use “the relationship of similar data to increase the speed and versatility of the database” (p. 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the invention taught by Pease and Rowe to utilize relational databases in order to increase speed and versatility of databases, as is favorably taught by “What are relational databases?”.

Further regarding claim 34, Pease teaches the recited dividing of gaming machines into a first group and a second group at least by the teaching that multiple casinos, each having a group of gaming machines, may communicate in substantially the same way with a respective gateway processor (see at least 1:65-2:19).

Regarding claim 2, Pease teaches a first network between the gaming machines and the second database, and a second network between the second database and the first database (see at least Fig. 1).

Regarding claim 3, Pease teaches a first processor arranged to manage the first database and a second processor arranged to manage the second database (see at least 5:40-41 and 5:61-66).

Regarding claims 5 and 23, Pease teaches wherein the data mover function is further configured to retrieve from the first relational database at least one of output

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ticket data, player data, jackpot data and meter data generated by the gaming machines within a predetermined preceding time period (see at least 5:56-60, 6:24-7:2, 8:13-18).

Response to Arguments

4. Applicant's arguments filed 12/2/2009 have been fully considered but they are not persuasive.

On pages 9-11 of the Remarks, Applicant contends that the claimed invention distinguishes over the cited prior art references by the limitations of i) a poller function arranged to format data in an auditable format before storing the formatted data in a table, ii) the data mover function is further configured to periodically retrieve input ticket data and balance data from the first relational database over the network independently of a request by any of the gaming machines, and iii) an accounting module is arranged to evaluate the formatted and periodically transmitted data stored in at least one of the tables of the first relational database to automatically generate a gaming activity audit report for the plurality of gaming machines.

Regarding points (i) and (iii), the Examiner notes that Pease explicitly teaches that the central system can log winners and potential winners in an auditable manner, as was acknowledged by Applicant on page 10 of the Remarks. Pease teaches such in at least 7:53-59 and 9:18-34. It follows directly from this teaching that if Pease's data is stored in an auditable manner, then it must be stored in an auditable format, as required by the claimed invention. Therefore, this formatting cannot be seen as a novel feature of the claimed invention. Moreover, the claim limitation does not impose any particular constraint on the formatting, other than the fact that it may be audited. An audit is

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simply a review of the stored information to verify its integrity. Since we know data is stored in databases for the express purpose of retrieving it in an intelligible way, it could be said that any data stored in a database is formatted in an auditable format.

Furthermore, the teaching of Pease that data is stored in an auditable manner indicates that no additional steps are required to perform the audit (for instance, there is no need for casino personnel to collect the data from the gaming machines, since it is automatically stored). The features of evaluating data and generating a report are interpreted to mean that data is retrieved from storage by a computer and arranged in some way. In the case of Pease, the data stored is not only retrieved by at least one computer (such as the central computer system) it is also capable of being arranged (in an auditable format). Therefore, Pease teaches these additional features of the invention.

Regarding point (ii), it is noted that the claimed invention does not require that all periodically retrieved input ticket data and balance data be moved independently of a request. The claim simply requires that an independent data transmission be made at least one time, with no detail as to when the data is moved. Pease teaches data transmission by way of polling, which means that information is transmitted according to a schedule of polling cycles. These cycles determine when information is transmitted, a request for data does not. Therefore, in at least this embodiment of Pease, data is transmitted independent of a request by any of the gaming machines, as the system is poll-driven.

Conclusion

5. All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. McCulloch whose telephone number is (571) 272-2818. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/W. H. M./
Examiner, Art Unit 3714
12/9/2009

/Peter D. Vo/
Supervisory Patent Examiner, Art Unit 3714